

SENATE CONCURRENT RESOLUTION NO. 106

BY SENATOR THOMPSON

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to consider appropriate legislation that would require the Federal Communications Commission to prescribe auditory volume standards for commercial advertisements broadcast on television.

WHEREAS, network television plays a prevalent part in society and, to retain that competitive edge amongst the plethora of digital media and other telecommunication advancements, must be sensitive to consumer preference and choice; and

WHEREAS, commercial advertisers spend millions of dollars annually to purchase brief intervals of broadcast time in which to promote the purchase of their products and to influence consumer behavior in a positive manner; and

WHEREAS, to capitalize on these fleeting and costly time periods, many advertisers resort to an excessive increase in the decibel level of commercials during a telecast in comparison to the programming in which each advertisement is embedded, all in an effort to grab the attention of the viewer and to market the product; and

WHEREAS, these erratic, excessive volume levels sometimes have an adverse effect on the well-being of consumers and often have a negative effect on consumer behavior, purchasing decisions, and viewing preferences; and

WHEREAS, proposed legislation introduced in the 111th Congress for 2009-2010, H. R. 1084: Commercial Advertisement Loudness Mitigation Act, (CALM), referred to the House Committee on Energy and Commerce, addresses this controversial issue; and

WHEREAS, implementation of CALM would order the Federal Communications Commission, (FCC), to create and to enforce governmental regulations that require that the volume level of commercials on television is broadcast at an equal auditory level as the programming in which it is embedded; and

WHEREAS, commercial advertisement makes the entertainment and information of over-the-air free television possible, offers a myriad of products and services to public view, and sustains mass communication as an integral part of market-driven economics; and

WHEREAS, control of decibel levels for advertisements broadcast over commercial airwaves falls within the purview of federal regulation, and that control is essential to the comfort and sensibilities of the viewing public.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana memorializes the Congress of the United States to consider appropriate legislation that would require the Federal Communications Commission to regulate auditory volume standards for commercial advertisements broadcast on television.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

---

PRESIDENT OF THE SENATE

---

SPEAKER OF THE HOUSE OF REPRESENTATIVES